c.8.1001 (1)

SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.) (3)

WRIT PETITION NO. 2900 **/2006**

P.R. No. 28426
Presented by Shri Abhishek Sinha
Dated 13/6/06

PETITIONER

Chitrasen Verma,
S/o. Late Shri N.S.Verma,
Aged about 34 years,
R/o Village & Post Tohda,
Via- Hirmi, District Raipur
(C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through its Secretary,
Department of Panchayat &
Rural Development, D.K.S.
Bhawan,Mantralaya,
RAIPUR (C.G.)

2. Chief Executive Officer,
Janpad Panchayat, Simga
District RAIPUR (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP.No. 2.9.06 **सन्** **200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21.6.2006:- Shri Ashish Shrivastava with Shri Amit Verma, counsel for the petitioner. Shri Sumesh Bajaj, Govt. Advocate takes notice for the State/ respondent No.1. Heard both the counsel. The main grievance of the petitioner in this petition is that in spite of the fact that he was eligible for 10% marks at the interview as per Clause (b) of sub-rule 9 of Rule 5 of the Chhattisgarh Panchayat Shiksha Karmi (Recruitment and Service Conditions) Rules, 1997 (for short 'the Rules, 1997) because the petitioner was eligible under this clause as per the certificate issued by Principal, Government Higher Secondary School, Hathbandh, District Raipur dated 30-3-99 which shows that the petitioner continuously for 3 years taught in the school i.e. from 22-7-96 to 30-3-99. Perusal of Annexure-P/6 which is the list issued for the purpose of interview, at page 39, the name of the petitioner is at S. No.1 in the category of OBC candidate and 10% marks has not been added on the ground of 3 years teaching experience. *Prima facie* argument advanced by learned counsel for the petitioner appears to be correct and learned counsel for the petitioner is pressing for the stay, and it has been informed that so far after taking interview the merit list of selected candidates has not been declared, therefore, with the consent of both the counsel, the following order is being passed. Having heard learned counsel for the parties and having perused clause (b) of sub-rule 9 of rule 5 of the Rules, 1997 and experience certificate dated 30-3-99 issued by the Principal, Govt. Higher Secondary	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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School, Hathbandh, District Raipur, without expressing any opinion on the merit of the case, it appears that *prima facie* the petitioner is entitled for 10% marks but as per the list (Annexure-P/6) issued by respondents the said 10% marks has not been added against the name of the petitioner whereas, it has been added against the names of other candidates, therefore, respondents are directed to consider and examine the case of the petitioner for award of 10% marks. If according to the certificates filed by the petitioner and the concerned rules, the petitioner's claim is found to be genuine/eligible, then respondents to consider the case of the petitioner for grant of 10% marks and issue the merit list of selected candidates thereafter.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2213/2006 and I.A. Nos.5771/2006 &5772/2006 also stand disposed of.

Certified Copy today itself.

Sd/-
L.C. Bhadoo
Judge

Barve

21.6.06 23.6.06